

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BYTEMARK, INC.,

Plaintiff,

V.

XEROX CORP., ACS TRANSPORT SOLUTIONS, INC., XEROX TRANSPORT SOLUTIONS, INC., CONDUENT INC., and NEW JERSEY TRANSIT CORP.,

Defendants.

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**CIVIL ACTION NO. 1:17-cv-01803
(PGG)
ECF CASE**

**NOTICE OF DEFENDANTS' MOTION TO COMPEL AND MOTION FOR
PROTECTIVE ORDER**

PLEASE TAKE NOTICE that, upon the Declaration of Ashley N. Moore, and the exhibits annexed thereto, the Memorandum of Law, dated December 28, 2020, Defendants Xerox Corp., ACS Transport Solutions, Inc., Xerox Transport Solutions, Inc., Conduent Inc., and New Jersey Transit Corp. (collectively “Defendants”), hereby move this Court, before the Honorable Paul G. Gardephe at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, Courtroom 705, 40 Foley Square, New York, NY 10007, for an Order compelling Plaintiff Bytemark, Inc. (“Bytemark”) to identify its trade secrets with reasonable particularity either via a trade secret disclosure or a response to Interrogatory No. 1. Until Bytemark makes this identification, Defendants also seek a Protective Order preventing Bytemark from pursuing the entirety of Defendants’ confidential information in an attempt to tailor its trade secrets to fit what it finds there.

Defendants certify that they have used their best efforts to resolve informally the matters raised in their motion.

Dated: January 6, 2021

Respectfully submitted,

/s/ Ashley N. Moore

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Attorneys for Defendants

CERTIFICATE OF SERVICE

This is to certify that all known counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on January 6, 2021. Any other known counsel of record will be served with a copy of this document by e-mail and/or facsimile transmission.

By: /s/ David R. Dehoney
David R. Dehoney